



CHESTER J. CULVER
GOVERNOR

PATTY JUDGE
LT. GOVERNOR

CRIMINAL AND JUVENILE JUSTICE PLANNING
AND STATISTICAL ANALYSIS CENTER
PAUL STAGEBERG, PH.D, ADMINISTRATOR

**JUVENILE JUSTICE ADVISORY COUNCIL
MEETING MINUTES**

December 3, 2009
Polk County River Place
Conference Room #1A
2309 Euclid Avenue
Des Moines, Iowa

Present: Jim Morris (Presiding), Geoff Abelson, Andrew Allen, Christy Burkhart, Stephen Clarke, Wayne Clinton, Nicole Engelbart, Rita Ferneau, Karen Jones, Paul Kraus, Molly McAndrew, Tony Reed, Lori Rinehart, Rachelle Schrader, Carl Smith, Steve Smith, Marvin Spencer

Staff: Preston Daniels, Paul Stageberg, Phyllis Blood, Kile Beisner, Jeanne Foster, Dave Kuker, Steve Michael, Scott Musel, Julie Rinker-Lind, Eric Sage

Absent: Verne Armstrong, Elia Cardenas, Todd Johnson, Vernon Johnson, Jackson Selk, Linda Svoboda, John Wauters

I. Call to Order

a. Changes and Approval of Agenda – Action

Jim Morris declared a quorum was present and called the meeting to order at 10:13 a.m. There were no changes to the Agenda.

b. Approve Minutes – Action

Morris noted that during the September meeting, a motion was made to approve a staff recommendation regarding an RFP for DMC efforts. Morris suggested that since the entire recommendation was not incorporated into the Minutes, perhaps the handout should be included as an attachment.

Carl Smith moved to approve the Minutes and include the handout as a portion thereof. The motion was seconded by Wayne Clinton and unanimously approved.

Introductions were made at this time.

II. Division Update

Phyllis Blood, Executive Officer, presented information regarding the Division update. Blood stated that there are no budget issues for the remainder of the fiscal year. The mandatory 10% budget reduction was absorbed with no reduction in current staff. Open positions that will not be filled are not within the juvenile justice area. Required furloughs will be taken between now and June 30.

The Department of Human Rights reorganization has been submitted to the Legislature. Under the reorganization, CJJP will continue as a separate division. While there may be some reductions in state commissions, federally funded commissions will not be affected.

Preston Daniels shared a letter from Governor Culver regarding an oversight committee to implement the recommendations of the Governor's Youth Race and Detention Task Force. The committee will be seated by January 30 and submit quarterly reports to the Governor. Daniels commended the Council for its efforts in this area.

Morris noted that while the group had applauded the recommendations from the Youth Race and Detention Task Force, there was no official Council approval. **Judge Stephen Clarke moved to approve the report recommendations from the Youth Race and Detention Task Force, seconded by Tony Reed. The motion was unanimously approved.**

III. National Update

Andrew Allen reported on his attendance at the national meeting for the Federal Advisory Committee for Juvenile Justice (FACJJ) that was held in Austin, Texas, in late October. Most of the time was spent on future planning and strategies to overcome past obstacles with the federal OJJDP office. The annual report was distributed to conference attendees; Allen will present a copy to Representative Tom Latham and discussed the possibility of presenting a copy to the Governor's office. Allen is part of a subcommittee for the 2010 annual report.

Judge Clarke reported that the Youth PROMISE Act (Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education) put forth by Representative Bobby Scott, is getting rehabilitation back into the discussion of juvenile justice and moving away from retribution and punishment. The Act has passed out of committee.

Scott Musel noted that Senate Bill 678, the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDP), is being taken up by the Senate Judiciary Committee today. Chairman Morris noted he was hopeful that the Act would pass this year.

IV. Council Budget

Kile Beisner reported a remaining balance of \$20,311.39, with \$9,688.61 expended mostly for travel by Council and sub-committee members. She stated the Council was on track compared to previous years.

Upcoming Travel – Action

Kuker discussed an application with the Annie E. Casey Foundation (AECF) to send a delegation to New Jersey for a "model state" visit regarding their JDAI statewide expansion to 60-70% of all counties. The delegation would discuss issues related to a similar expansion in Iowa. While the initial application was denied by the AECF, approval could still take place after January 1, 2010. If approved, approximately

\$10,000 may be needed for travel. Kuker assured the group that any travel approval would be revisited by the Council during the March meeting.

Discussion included the cost/value of 13 representatives visiting New Jersey and that a smaller delegation (five individuals) may be more effective. Staff was asked to bring the AECF requirements to the Policy & Program Committee meeting in January. When asked if this affected the AECF's participation in Iowa, Kuker responded that Iowa was chosen because its population size makes it a good candidate to move statewide.

Kuker reported that expenses associated with the Implementation Committee would need to be paid from Council funds. He sought approval from the Council to support staffing, travel, and meeting costs.

Carl Smith moved to approve expenses for the Implementation Committee, seconded by Judge Stephen Clarke.

Discussion included:

- The Committee would not be funded if it relied on state funding.
- Funding amounts could be further addressed by the Policy & Program Committee.

Paul Kraus offered a friendly amendment for a funding limit of \$3,000 with further review of past and present costs by the Policy and Program Committee, which could return a recommendation or revised budget, if needed.

The amendment was accepted and the motion was unanimously approved.

V. Compliance Monitoring Report

Musel stated the Compliance Monitoring Report will be submitted in mid-December prior to the deadline of December 31. This year's report will include a status violation regarding Deinstitutionalization of Status Offenders (DSO). The violation was related to flooding in Cedar Rapids during 2008 when the Linn County shelter was moved to the detention center. The primary concern is that the detention center is a secure facility. The Report will indicate a status violation and include issues, procedures and steps taken, as well as concerns by the Department of Human Services (DHS) regarding federal funding.

Eric Sage suggested a letter from Jim Morris be sent to Charles Krogmeier, DHS Director. There was consensus by the Council to send the letter.

VI. DMC Report & Resource Center

Reconsideration of Council Action from September meeting – Action

Morris noted that the purpose of this agenda item was to rescind a motion from the previous meeting to allow consideration of information by the DMC Committee.

Wayne Clinton reported that the DMC Committee did not have an opportunity to provide a recommendation prior to Council action. If the motion was rescinded, the topic could be further discussed.

Clinton moved to rescind the motion that directed staff to proceed with an RFP, seconded by Carl Smith.

Kuker discussed that it is Staff's recommendation that the motion be rescinded. This action allows the DMC Committee to inform the Council.

The motion passed unanimously.

Morris reported that Brad Richardson and the National Resource Center for Family Centered Practice (NRCFCP) have been very helpful in the past and a source of data for eight to nine years. Brad Richardson is nationally recognized in the area of DMC. However, three things have happened: 1) work with the Annie E. Casey Foundation, 2) the report from the Governor's Youth Race and Detention Task Force, and 3) national trends. During the Council's retreat in 2008, performance measures and data were requested. Brad Richardson and the University of Iowa/NRCFCP have indicated issues in obtaining the data and concerns with their IRB (Institutional Review Board).

Wayne Clinton stated that the DMC Committee recommends extending the DMC Resource Center contract for another year, terminating in December 2010. The contract would remain the same, but the conference could be negotiated. Clinton noted Committee concerns regarding a lag in technical assistance in local sites. Extending the contract would provide local assistance during the RFP process.

Kuker discussed the need for data and problems related to collecting arrest/referral data from law enforcement, school-based liaisons, and schools.

Other discussion included:

- If an RFP is conducted, there is nothing that prohibits reissuing a contract to the University of Iowa/NRCFCP.
- The process would be an opportunity to identify other interested parties.
- If the contract is terminated now, there could be a gap in the level of assistance provided to local sites during the RFP process.
- Preston Daniels, Director, reminded the Council that the Department of Human Rights will not enter into contracts without termination dates.
- Data must be collected from the courts, schools, and law enforcement to develop procedures for dealing with unruly students. Some, but not all, of the information is public.
- Iowa would not be "pioneers" in collecting this information, but would be on the leading edge. The Haywood Burns Institute, which contracts with the AECF, almost exclusively conducts this work and emphasizes the importance of using standardized sets of data to affect policy. There is no need to interview anyone—student, parent, or teacher.

The motion failed to pass with a vote of ten nays and six ayes.

Clinton moved to defer further discussion until after the Council recessed for lunch, seconded by Carl Smith. The motion passed unanimously.

The Council recessed at 11:51 a.m. and resumed at 12:12 p.m.

Clinton noted that the DMC Committee was hopeful to maintain a working relationship with the NRCFCP and its contract for the DMCRC. He reminded the Council that the current contract ends December, 2009. He discussed issues regarding a conference next year without a contract. He asked the group to authorize staff to enter into negotiations for a contract agreement through 2010 that outlines the type of assistance expected

from a DMCRC and simultaneously hold discussions with the DMC Committee regarding issues to be included in an RFP.

Discussion included:

- The current DMCRC contract amount is \$100,000.
- The cost of the conference is \$30,000.
- If involved in the RFP discussions, the University of Iowa/NRCFCP could be disqualified from the RFP application process.
- The NRCFCP would not be part of the process, but would help determine what local sites want to maintain to address disparity in their communities.

Paul Kraus stated he thought the RFP process should not be delayed and moved to reinstate the original staff recommendation (see attached) to proceed with the RFP process, seconded by Carl Smith.

Discussion included:

- Two RFP's could be developed—one for data information and one for local services.
- The process will be open to any organization willing to provide those services under one RFP.
- It is important to assess everything from technical support and data collection within an open process.
- The JDAI effort is in Iowa because of this Council, the statewide DMC Committee, and the DMC Resource Center. This could be a step backwards—the Black Hawk DMC Coordinator position might not be funded.
- The local communities have passionately reported the importance of the assistance provided through the DMCRC.
- As an interim solution, the contract could be extended through June to avoid a gap in service, although a December conference might be jeopardized. However, recent national discussions indicate that conferences are not necessarily making a difference.
- The RFP process is not exclusive to the DMC Committee—there are others whose input should be considered.

Andrew Allen proposed a friendly amendment to extend the contract for six months thereby avoiding a gap in service during the RFP process. Paul Kraus responded that while he would not accept the amendment, he would be supportive of a motion to extend the contract to allow continuity of services in local sites.

Wayne Clinton reminded the group that the DMC Committee should be included in the RFP discussion and should be included in the motion. Dave Kuker reassured the group that the DMC Committee would be included in the RFP discussions.

Judge Stephen Clarke moved to table the motion, seconded by Andrew Allen, the motion carried.

Andrew Allen moved to renegotiate the contract with the NRCFCP for the DMC Resource Center through June 30, 2010, seconded by Judge Stephen Clarke.

Discussion included:

- Concerns were raised regarding performance issues.
- If the NRCFCP is not agreeable, the issue would have to be revisited in the spring.
- Staff would contract for services based on the number of site visits and associated travel costs.
- Staff may want to consider consulting with local sites to determine what services are needed during the six-month extension.

The motion carried with only one nay from Carl Smith.

Paul Kraus moved to untable the previous motion regarding the staff recommendation (see attached) to proceed with an RFP, seconded by Andrew Allen.

During the discussion, the following changes were made to the staff recommendation and are noted in **bold**.

Staff Recommendation:

Request for the **Juvenile Justice Advisory Council, DMC Committee, & others** to work with CJJP to develop an RFP/RFP's for the below related activities. The development of the RFP must be based on a broader discussion with the DMC Committee regarding its definitions for success – and how success will be achieved and measured **& includes, but is not limited to the following template:**

- Technical assistance and support to local communities to include:
 - Bridging local activities between JDAI and DMC through participation in local meetings. Discussion of and outcome based planning based on data must be one of the major components of such discussions.
 - Brokering of written agreements between the courts, Juvenile Court Services, local Law Enforcement, and Schools regarding the referral of youth from schools to juvenile court services.
 - Provision of assistance to provide relevant speakers and/or consultants to local officials.
 - Assistance, where necessary, with primary data collection.
 - Assistance with the provision of outcomes regarding relevant programming and process evaluation for local efforts.
 - Work with local sites to bring about policy or procedural change to affect detention reform and JDAI.
- An annual DMC Conference as planned in conjunction with the DMC Committee which should include:
 - Strategically oriented with workshops to have specific affect regarding DMC and JDAI.
 - Be coordinated, where possible, with conference activities for the Iowa Department of Human Services Minority Youth and Families Initiative.
- Allow for the provision of information through a website with relevant DMC and JDAI information.
- Provide training for law enforcement in select communities regarding cultural competency training and gender. The DMC Committee has indicated specific concerns and issues with the term "cultural competency training". Develop of the RFP should consider those concerns. The recommendations

in the May 2009 Report of the Youth Race and Detention Task Force should guide the provision of such training.

- Participation in state DMC Committee and other relevant state level meetings.

The motion passed unanimously.

VII. Policy & Program Committee

a. Informational Briefs & Position Paper Approval – Action

Morris extended privileges to Jeff Grimes, who presented draft position papers (Education & Cultural Competency; Risk Assessment Screening & Alternatives to Detention; 48-Hour Dispositional Hold; DMC through System Reform) and informational briefs (Adolescent Brain Development; Guiding Principles in the Use of Detention).

Grimes reported that the papers were based upon the Report recommendations from the Youth Race and Detention Task Force. He discussed the focus, format, and intended use of the papers and suggested the creation of an implementation plan and assignment of responsibilities. He also suggested a three-year "sunset" date when the papers would be reviewed for relevancy.

Lori Rinehart presented a position paper written by the Gender Specific Services Task Force on Single Gender Environments for Females. She noted additional papers would be presented in the future, however, only one was being submitted at this time.

After discussion regarding minor changes, there was unanimous consensus to adopt the papers. The group applauded the efforts of Jeff Grimes.

b. Future Allocation & Project Budget

The Policy & Program Committee will meet in January to discuss future allocation and a projected budget. The information will be presented to the Council during the March meeting.

VIII. JDAI Report

Dave Kuker discussed a potential model site visit to New Jersey. He reviewed detention data and stated while there have been reductions in detention admissions, there have not been huge reductions in disparity. He noted that over the last twenty years, the recent reductions are significant.

Kile Beisner discussed that the current detention screening tool was presented to the Polk County stakeholders group. The process is still in the "pilot phase". Approximately 650 tools have been collected, over half from Polk County. Black Hawk County submissions have increased, but more still need to be collected. When the pilot phase ends December 31, data will be reviewed and the detention screening committee will reconvene to discuss issues and determine next steps. Beisner indicated there is concern that too many people are filling out the forms which results in the loss of "control". Other concerns include technology and VPN issues with ICIS and that some tools appear to be completed the following morning which in essence, makes it a "form", not a screening tool.

IX. Gender Report

Lori Rinehart reported that the Gender Specific Services Task Force name has changed to the Iowa Task Force for Young Women. Whispers & Screams will be held May 27-28. The theme is "Girls on the Move"

X. Unfinished Business

The annual DMC Conference will be held December 9-11.

XI. New Business

Scott Musel reported that Council member Barb Edmondson has resigned effective December 31, 2009. The Council applauded her efforts as vice chair. Musel noted that a vote will be held for vice chair during the next meeting

XII. Next Meeting

The next meeting will be held March 4, 2010.

XIII. Adjourn

The meeting adjourned at 1:53 p.m.

Respectfully submitted,



Julie Rinker-Lind
Administrative Secretary

Attachment

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